REMARKS

An amended set of claims is presented in the application. Claims 1, 21, 43, 48 and 55 have been amended to correct minor clarity errors. Claim 56 has been canceled.

The Applicants thank Examiner Meucci for the many courtesies extended during the telephone conference of April 20, 2006.

In section 3 of the Action of April 13, 2006 the Examiner rejects claims 1, 21, 43 and 50 under 35 USC 103(a) as being unpatentable over U.S. Pat. No. 5,600,368 to Matthews, in view of U.S. Pat. No. 6,233,428 to Fryer, U.S. Pat. No. 5,170,252 to Gear, and U.S Pat. No. 5,884,004 to Sato. The Applicants respectfully disagree.

* * * * *

1.

Claim 1 recites *"the streaming server establishing separate sessions with the plurality of users by sending each user a separate stream."* Such feature refers to a 'unicast' mode as shown, by way of example and not of limitation, between page 12, line 25 and page 13, line 8 of the application as filed. In that passage it is noted how the waste of bandwidth of the unicast method can be turned to an advantage because each client can personalize his or her own show.

The Examiner believes that the above feature is disclosed in Fryer, column 6, lines 35-45. However, that passage recites that server 3 in Fryer "is connected to . . . routers . . . serving to split the video stream . . . into multiple video streams . . . conserving the amount of bandwidth." What Fryer discloses is a multicast method, not a unicast one, as also explained by applicants in the above cited section of the specification, where it is noted that "[i]n the multicasting model, one single stream of data reaches the various

users through routers", which is exactly what happens in Fryer. In particular, Fryer does not disclose an *"establishing [of] separate sessions with the plurality of users"* because there is a single session replicated to the various users.

Moreover, Fryer provides a teaching which is the exact opposite of the above feature of claim 1. In Fryer, the emphasis is on the conservation of bandwidth while in the establishment of separate sessions the emphasis in on personalization by the user even if this requires additional bandwidth.

2.

Claim 1 further recites that *"upon switching, the feed distributor feeds to the streaming server a second video file . . . without altering the first audio file, the second video file being interleaved with the first audio file."*

The Examiner opines that the above feature is disclosed in Sato, with reference in particular to the passage at column 52, lines 49-53 of Sato ("It is possible to avoid intermitting the audio presentation, however, by writing the same (common) audio data to each angle within a multi-angle scene period on the smallest angle switching unit(ILVU) level"). However, that passage, as also shown in Figure 79 to which such passage makes reference and in the following Figure 80, makes reference to contemporaneous multiple AV streams (according to the point of view), so that, upon switching, the user 'jumps' on a different stream. However, in case of a jump on a different stream upon switching, the *"second video file"* cannot be *"interleaved with the first audio file"* as claimed, it can only be interleaved with a different audio file, the different audio file possibly having the same content of the first audio file. In other words, Sato does what represented by Applicants in Figure 1 (prior art) of the present application, where separate streams for separate points of view are provided.

Incidentally, an advantage of having a second video file interleaved, upon switching, with the same first audio file previously interleaved with the first video file is mentioned –by way of example and not of limitation- at page 5, lines 13-17 of the application as

originally filed: "The present invention overcomes the problems of the prior art in several apsects; first, the bandwidth is not wasted as done with prior art systems. The internet connection carries, at every time, only one video stream and one audio stream. As a consequence, a virtually unlimited number of different points of view can be used." To the contrary, in Sato a virtually unlimited number of different points of view can only be reached with a virtually unlimited number of different streams for each user which is, of course, impossible.

3.

The Applicants also submit that the person skilled in the art would not be motivated to combine Sato with Fryer or the other documents cited by the Examiner.

Sato discloses a method for recording an AV bitstream on an optical disk. See, for example, Figure 2 in Sato. Sato does not relate to Internet or networks. Therefore, Sato does not address bandwidth problems related to the replication of additional points of view (even if those additional points of view are not selected by the user) because Sato is applied to a context (recording of an optical disk) where bandwidth is not relevant at all.

Moreover, Applicants make reference to the arguments already presented in the 'Remarks' section filed toghether with the RCE in February 2006 and, in particular, to the following section referring to Matthews:

> In other words, assuming Matthews' primary channel and virtual channels in a webcasting context, switching among those channels would not cause the streaming server to stream a signal with a second video file (different from the first video file) interleaved with the same audio file (as claimed in claim 1), to the contrary it would cause the user to 'jump' on an already present stream (as shown in Figure 1, where the connections 3 show three different streams, each with its own audio files and video files) or alternatively to have a different session established (as discussed between page 2, line 25 and page 3, line 12 of the present application), also in this case with different video and audio files transmitted to the user.

The above comments are relevant with reference to Sato as well, because stream 'jumping' upon switching is something done in Sato, but not in the present application.

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In view of the above, the Applicants submit that claim 1 is patentable over the cited references. Similar considerations apply to independent claims 21, 43 and 50. The remaining claims are deemed to be patentable at least by virtue of their dependence on respective independent claims 1, 21, 43 and 50.

Application No. 09/897,708   **JUL 1 3 2006** Page 16

Conclusion

In view of the above, reconsideration and allowance of all the claims are respectfully solicited.

The Commissioner is authorized to charge any additional fees which may be required or credit overpayment to deposit account no. 12-0415. In particular, if this response is not timely filed, then the Commissioner is authorized to treat this response as including a petition to extend the time period pursuant to 37 CFR 1.136 (a) requesting an extension of time of the number of months necessary to make this response timely filed and the petition fee due in connection therewith may be charged to deposit account no. 12-0415.

I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office, fax no. (571) 273-8300 on

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